

**REVISED**  
**MINUTES OF THE**  
**TRANSPORTATION PLANNING TASK FORCE**  
Wednesday, October 1, 2003 – 9:00 a.m. – Room 131 State Capitol

**Members Present:**

Sen. Carlene M. Walker, Senate Chair  
Rep. Rebecca Lockhart, House Chair  
Sen. Karen Hale  
Sen. Sheldon L. Killpack  
Sen. John L. Valentine  
Rep. J. Stuart Adams  
Rep. Craig W. Buttars  
Rep. John Dougall  
Rep. Neil A. Hansen

Rep. Neal B. Hendrickson  
Rep. Todd E. Kiser

**Members Absent:**

Sen. David L. Gladwell

**Staff Present:**

Benjamin N. Christensen, Policy Analyst  
Shannon C. Halverson, Associate General Counsel  
Joy L. Miller, Legislative Secretary

**Note:** A list of others present and a copy of materials can be found at [www.leg.utah.gov](http://www.leg.utah.gov) or by contacting the committee secretary, Joy Miller, at 538-1032.

**1. Task Force Business**

Chair Lockhart called the meeting to order at 9:05 a.m.

**MOTION:** Rep. Hansen moved to approve the minutes of the September 9, 2003 meeting. The motion passed unanimously. Sen. Gladwell, Sen. Valentine, Rep. Adams, Rep. Dougall, and Rep. Hendrickson were absent for the vote.

**2. Regional Transportation Planning**

Mr. Darrell Cook, MAG (Mountainlands Association of Governments), distributed a copy of his introductory comments, information on the committee structure of the Greater Wasatch MPOs (metropolitan planning organizations), a Memorandum of Agreement, maps of road projects in the long-range plans, and "Moving Forward" which provides long-range planning information for highways, mass transit, local arterials, and pedestrian and bicycle trails. He discussed the development of the JPAC (Joint Policy Advisory Committee) made up of representatives from MAG, WFRC (Wasatch Front Regional Council), UDOT (Utah Department of Transportation), and the UTA (Utah Transit Authority) Board.

Mr. Chuck Chappell, WFRC, stated that the long-range planning process has become more sophisticated, making coordination with other agencies a necessity. He pointed out that MPOs represent local official consensus on a regional plan.

Mr. John Njord, Director, UDOT, stressed that the planning process is designed so that everyone has an equal voice and an opportunity to influence the ultimate outcome.

Ms. Kathryn Pett, UTA, stated it appears that the cooperative effort is meeting the needs of the planning process and is serving both MPOs well at the present time.

### **3. UDOT (Utah Department of Transportation) Organizational Structure and Project Selection Criteria**

Mr. Njord indicated that some years ago, UDOT made a strategic move to decentralize the organization and provide service at the closest point to its customers. He reviewed the districts and regions within UDOT. He said UDOT is in the process of eliminating 110 positions which will save approximately \$4 million this year. Mr. Njord reviewed the function and purpose of the Transportation Commission.

Sen. Valentine asked Mr. Njord how he would organize the restructure of UDOT to maintain a seamless transportation department, if he now had responsibility for mass transit.

Mr. Njord responded that he would ask the following questions if UDOT were to include transit responsibility:

- What is the purpose?
- What is the problem we are trying to fix?
- What is the issue we are trying to address?

Mr. Njord said once that issue has been identified, the following questions should be asked:

- Who is the decision making body in the new organization?
- Would it be the Transportation Commission and would they have that responsibility in the future?
- What would be the responsibility of the current UTA board and the other boards that are involved with transit authorities across the state?
- If this is a good organization for the UTA, what about the other transit authorities?

Mr. Njord said once the policy making body has been determined, the following questions should be addressed:

- What is their jurisdiction?
- Would the jurisdiction of this new body be over the design, construction, maintenance, and operation of transit authorities across the state, or just one?
- Would the new body have the ability to prioritize projects and to look at transit projects and highway projects simultaneously and would they have the ability to shift funding from one to another?
- Would the Legislature want the Transportation Commission, if that is the body selected to have that decision making authority, to have the ability to take state gas tax funds and shift them towards transit projects?
- What types of projects should they be involved with? Should they be involved with the construction of rail corridors? Should they be involved with the acquisition of buses?
- Would the Transportation Commission, or other entity selected to be the decision making authority, have the ability to have jurisdiction over taxes that are collected on a local level?
- Can a statewide body have jurisdiction over a local tax as opposed to a statewide tax and can a statewide tax be applied for a local transportation project?

Mr. Njord reviewed with the task force UDOT's project selection process and criteria. He answered questions from the members.

#### **4. Transportation Funding Sources Discussion - Continued**

Mr. Christensen discussed "Utah Highway User Taxes and Fees" which was included in the mailing packet. He noted that fuel taxes are the primary source of revenue for transportation.

Mr. David Creer, Utah Trucking Association, commented on temporary permit fees. He said part of the fee goes to the State Tax Commission for its online registration ability. He indicated the fee is in line with surrounding states.

Mr. Christensen discussed "Transportation Revenue Tools" which was included in the mailing packet. He reviewed the evaluation criteria and outlined the priority list of state tools developed by the Task Force.

Ms. Halverson briefly reviewed some of the sales taxes currently in place that are related to transit and transportation.

The Task Force discussed establishing partnerships with the local governments to address transportation funding issues.

Mr. Max Ditlevsen expressed concern on establishing hard and fast rules for local matching proposals. Each project proposal is unique. He asked that the Transportation Commission be allowed to do its job in evaluating each proposal.

Sen. Walker asked if it would be helpful to define a percentage of the total cost of the project that the municipality would have to fund.

**MOTION:** Sen. Walker moved to request that the Transportation Commission draft guidelines to encourage local funding participation and present them to the Transportation Joint Appropriations Subcommittee and other appropriate legislative committees. The motion passed unanimously.

Mr. Gary Clay, Pleasant Grove City, discussed the special improvement district which was formed in order to help build the Pleasant Grove Boulevard that connects to the new Pleasant Grove interchange. He discussed how funds were leveraged to pay for the project.

Mr. Carlos Bracerias, UDOT, pointed out that local governments may have more flexibility than the state. If a project requires federal action, an environmental document will have to be done.

Mayor Larry Ellertson, Lindon City, stated that in order to get the connecting roads for the Lindon portion, they are utilizing the monies that were reimbursed through UDOT. He said they continue to work with property owners and have made significant progress in reaching agreements.

Commissioner Steve White, Utah County, explained that there is no entitlement in the code for a county to build and maintain a road system. They are willing to partner with the state if there is a mechanism to use money other than property tax.

Mr. Mark Bleazard, Office of the Legislative Fiscal Analyst, discussed the government vehicle exemptions. The state currently is selling 18 million gallons of gas annually on its gas card program, which represents approximately 60 percent of exempt vehicles in the state. If the full amount of the gas tax is applied to all exempt vehicles, it would generate \$7.5 million.

Mr. Jerry Oldroyd, Ballard Spahr Andrews & Ingersoll, LLP, addressed the issue of utilities in highway rights-of-way. The state has offered incentives to broaden utilities by allowing them to utilize rights-of-way at a relatively small cost. He explained that Congress limited states from imposing a barrier to telecommunications companies through regulation of rights-of-way. He also discussed relocation and its cost.

Ms. Pett pointed out that UTA is required to pay 100 percent of its relocation costs. Federal participation on UTA projects is 50 percent.

Mr. Njord stated UDOT currently spends a lot of money, time, and resources in relocating utilities because individual companies prefer to move the utilities on their own using their own contractors. He questioned if UDOT should have the ability to hire those same contractors and hold them to UDOT's schedule which would save significant time and money.

Rep. Lockhart asked that members inform the chairs of specific ideas and recommendations to be discussed at the final meeting of the Task Force to be held November 5th. She asked for recommendations, if any, that should be made regarding the Centennial Highway Fund. The final report of the Task Force will be presented to the Transportation Interim Committee at its November meeting.

Mr. Njord distributed a copy of the State of Utah Long Range Transportation Plan for each member of the Task Force.

**MOTION:** Sen. Hale moved to adjourn the meeting. The motion passed unanimously. Chair Lockhart adjourned the meeting at 11:55 a.m.